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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,125	02/17/2000	Felix G. T. I. Andrew	202411	6776

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EXAMINER	
KISS, ERIC B	

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/506,125	ANDREW ET AL.	
	Examiner	Art Unit	
	Eric B. Kiss	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *26-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *26-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 February 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *09/07/04, 09/16/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The reply received 6 August 2004 has been received and entered. Claims 26-46 are pending.

Information Disclosure Statement

2. The information disclosure statement filed 7 September 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Response to Arguments

3. Applicant's arguments filed 6 August 2004 have been fully considered but they are not persuasive.

a. In response to Applicant's arguments on p. 3, in paragraph 2:

On pp. 4-8 of the *AFM97* reference, a rather detailed overview of "Adobe FrameMaker+SGML application development" is disclosed. Therefore, Applicant's arguments are wholly unpersuasive.

b. In response to Applicant's arguments on p. 3, paragraphs 3 and 4, continuing onto p. 4:

The FrameMake®r+SGML tool is an executable application program.

The present Assignee of the instant application is Microsoft Corporation. Microsoft Corporation's publicly held definition of the term "user interface" is ***the portion of a program with which a user interacts*** (see "Microsoft® Computer Dictionary," 2002, Microsoft Press, 5th ed., p. 544). This is exactly how the Examiner has interpreted this term (see the Office action mailed 6 May 2004; see further Applicant's own arguments on pp. 3-4, citing the relevant portions of said Office action).

The interactive WYSIWYG editing environment of the FrameMake®r+SGML tool comprises a user interface that is changed, *i.e.*, the rendered display (the portion of the program with which a user interacts) is made different through user input.

By the very same publicly held definition of "user interface", the Examiner agrees with Applicant that with every letter that is input by the user of a plain text editor, the "user interface" of that text editor is "changed." The Examiner does not, however, agree with Applicant that such an interpretation is absurd.

4. In view of Applicant's unpersuasive arguments, the previous rejections are maintained and reproduced below.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 34-37 and 42-46 are rejected under 35 U.S.C. 102(b) as being anticipated by the Adobe® FrameMaker®+SGML integrated XML authoring and composition tool as disclosed by "Adobe® FrameMaker®+SGML 5.5: Developing SGML Publishing Applications," 1997 (hereinafter *AFM97*) and Charles F. Goldfarb and Paul Prescod, "The XML Handbook," 1998 (hereinafter *Goldfarb and Prescod*), pp. 278-295.

As per claims 34 and 37, *Goldfarb and Prescod* disclose a set of one or more routines for modifying at least one user interface resource file (see, for example, section 21.2 and its corresponding subsections on pages 280-288); and the at least one resource file comprising a document in a markup language, wherein tagged text elements are associated with attributes of a user interface (Adobe® FrameMaker® is disclosed as a tool for creating and editing XML documents; see, for example, section 21.2 and its corresponding subsections on pages 280-288). *Goldfarb and Prescod* disclose software for modifying the at least one user interface file ((see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the

portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed). *Goldfarb and Prescod* further disclose a computer-readable medium storing computer-executable instructions and computer-readable data for implementing the aforementioned components (see, for example, page 278, indicating a free trial version of FrameMake®r+SGML on CD-ROM). The use of a computer including memory for storing the executable program is inherent in performing the aforementioned computer-implemented steps.

As per claim 35, *Goldfarb and Prescod* further disclose the routines for modifying the at least one user interface resource file being invoked while the computer program is being executed, the customizing occurring dynamically (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed).

As per claim 36, *Goldfarb and Prescod* further disclose a set of operating system resource-loading routines for presenting the user interface to the user, wherein the resource-loading routines obtain user interface resource information from a user interface attribute data tree corresponding to the user interface resource file and, with respect to resource information not specified in the user interface resource file, from a set of default sources of user interface

resource information (see, for example, section 21.2.1 on page 281; and section 21.2.5 on page 288).

As per claim 42, *Goldfarb and Prescod* disclose the routines for creating and modifying the at least one user interface resource file being used while the computer program is being executed, the creating and modifying occurring dynamically and not requiring a recompilation of the executable program component (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed).

As per claims 43 and 46, *Goldfarb and Prescod* disclose executing a computer program, thereby causing a user interface to be presented (see, for example, section 21.3 and its corresponding subsections on pages 288-290); editing at least one user interface resource file, the at least one user interface file comprising a document in a markup language, wherein tagged text elements are associated with attributes of the user interface (Adobe® FrameMaker® is disclosed as a tool for creating and editing XML documents; see, for example, section 21.2 and its corresponding subsections on pages 280-288); and causing a new user interface to be presented (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the

rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed). *Goldfarb and Prescod* further discloses a computer-readable medium storing computer-executable instructions and computer-readable data for implementing the aforementioned steps (see, for example, page 278, indicating a free trial version of FrameMake®r+SGML on CD-ROM).

As per claim 44, *Goldfarb and Prescod* further discloses parsing the at least one user interface resource file into a user interface attribute data tree (see, for example, section 21.2.1 on page 281); invoking operating system resource-loading routines for constructing the user interface (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed); and obtaining user interface resource information from the user interface attribute data tree, and with respect to resource information not specified in the user interface resource file, from a set of default sources of user interface resource information (see, for example, section 21.2.1 on page 281; and section 21.2.5 on page 288).

As per claim 45, *Goldfarb and Prescod* further discloses causing the user interface to be presented occurring while the computer program is being executed and not requiring the

computer program to be re-executed (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed).

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 26-33 and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Adobe® FrameMaker®+SGML integrated XML authoring and composition tool as disclosed by "Adobe® FrameMaker®+SGML 5.5: Developing SGML Publishing Applications," 1997 (hereinafter *AFM97*) and Charles F. Goldfarb and Paul Prescod, "The XML Handbook," 1998 (hereinafter *Goldfarb and Prescod*), pp. 278-295.

As per claim 26, *Goldfarb and Prescod* disclose a set of one or more routines for producing an executable program component of the computer application software product (see, for example, section 21.2 and its corresponding subsections on pages 280-288); at least one

resource file comprising a document in a markup language, wherein tagged text elements are associated with attributes of a user interface (Adobe® FrameMaker® is disclosed as a tool for creating and editing XML documents; see, for example, section 21.2 and its corresponding subsections on pages 280-288 of *Goldfarb and Prescod*); and a set of one or more routines for creating and modifying the user interface component by manipulating the at least one user interface resource file (see, for example, section 21.2 and its corresponding subsections on pages 280-288). *AFM97* discloses, as part of application development with the FrameMaker®+SGML tool, various skills required within the implementation team, including document design, SGML knowledge, setting up FrameMaker®_SGML formatting templates, and setting up the formatting rules that control automatic application of the desired graphic design to structure documents. Further *AFM97* discloses these skills as being shared by the group of people rather than being mastered by one individual (see, for example, "The implementation team" on pp. 7-8). FrameMaker®+SGML is not expressly disclosed as being used in a development environment comprising at a first computer and a second computer linked by way of a network. However, Official Notice is taken that it has been well known and practiced in the software development art to for multiple developers in a collaborative development environment (as disclosed, for example, by *AFM97* on pp. 7-8) to use multiple computers connected by way of a network. Therefore, it would have been obvious to one having ordinary skill in the computer art at the time the invention was made to use the FrameMaker®+SGML tool in a development environment comprising comprising at a first computer and a second computer linked by way of a network. One would be motivated to do so to promote more cost effective and efficient software development.

As per claim 27, *Goldfarb and Prescod* further disclose the routines for creating and modifying the at least one user interface resource file being used while the computer program is being executed, the creating and modifying occurring dynamically and not requiring a recompilation of the executable program component (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment that enables interactive editing of a document, allowing the user to see the rendered result as changes are made to the formatting specification. Changing the rendered (WYSIWYG) display and/or the structured view of the document is, in effect, changing the portion of the FrameMaker®+SGML tool with which the user interacts (namely, the manipulatable graphical display), and thus user interface of the FrameMaker®+SGML tool is changed). Therefore, for reasons applied above, such a claim also would have been obvious.

As per claims 28 and 30-32, *Goldfarb and Prescod* further disclose a set of operating sustem resource-loading routines for presenting a user interface corresponding to the user interface component (see, for example, see, for example, section 21.2.1 on page 281). Further, as the FrameMaker®+SGML tool is a collaborative tool (see, for example, *Goldfarb and Prescod*, section 21.4; and *AFM97*, "The implementation team" on pages 7-8), the generated user interface can be viewed by any member of the implementation team. Therefore, for reasons applied above, such claims also would have been obvious.

As per claim 29, *Goldfarb and Prescod* further disclose the resource-loading routines obtain user interface resource information from a user interface attribute data tree corresponding to the user interface resource file and, with respect to resource information not specified in the user interface resource file, from a set of default sources of user interface resource information

(see, for example, section 21.2.1 on page 281; and section 21.2.5 on page 288). Therefore, for reasons applied above, such a claim also would have been obvious.

As per claim 33, *Goldfarb and Prescod* further disclose a computer-readable medium storing computer-executable instructions and computer-readable data for implementing the aforementioned components (see, for example, page 278, indicating a free trial version of FrameMake®r+SGML on CD-ROM). Therefore, for reasons applied above, such a claim also would have been obvious.

As per claim 38, *Goldfarb and Prescod* disclose causing a user interface to be presented while a computer program is being executed and not requiring the computer program to be re-executed (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment). In the WYSIWYG environment of FrameMaker®+SGML, making changes to the user interface can be done without necessarily requiring a change in the executable code, such as disclosed in *Goldfarb and Prescod*, section 21.3.2. Further, the FrameMaker®+SGML tool is a collaborative tool (see, for example, *Goldfarb and Prescod*, section 21.4; and *AFM97*, "The implementation team" on pages 7-8). *AFM97* discloses, as part of application development with the FrameMaker®+SGML tool, various skills required within the implementation team, including document design, SGML knowledge, setting up FrameMaker®_SGML formatting templates, and setting up the formatting rules that control automatic application of the desired graphic design to structure documents. Further *AFM97* discloses these skills as being shared by the group of people rather than being mastered by one individual (see, for example, "The implementation team" on pp. 7-8).

FrameMaker®+SGML is not expressly disclosed as being used in a development environment comprising at least two users -- one developer and one graphic designer, where the graphic designer proposes necessary functional changes to the developer. However, it is well known and practiced in the software development art to split up the tasks of an overall software development project into subtasks relating to programming and graphical interface design. This common practice is also acknowledged by Applicant on page 3, lines 9-11 of the specification. Therefore, it would have been obvious to one having ordinary skill in the computer art at the time the invention was made to use the FrameMaker®+SGML tool in a development environment comprising at least two users -- one developer and one graphic designer, where the graphic designer proposes necessary functional changes to the developer. One would be motivated to do so to promote more cost effective and efficient software development.

As per claim 39, *Goldfarb and Prescod* further disclose at least one resource file comprising a document in a markup language, wherein tagged text elements are associated with attributes of a user interface Adobe® FrameMaker® is disclosed as a tool for creating and editing XML documents; see, for example, section 21.2 and its corresponding subsections on pages 280-288 of *Goldfarb and Prescod*). Therefore, for reasons applied above, such a claim also would have been obvious.

As per claim 40, *Goldfarb and Prescod* further disclose parsing the at least one user interface resource file into a user interface attribute data tree (see, for example, section 21.2.1 on page 281); and obtaining user interface resource information from the user interface attribute data tree, and with respect to resource information not specified in the user interface resource file, from a set of default sources of user interface resource information (see, for example,

section 21.2.1 on page 281; and section 21.2.5 on page 288). Therefore, for reasons applied above, such a claim also would have been obvious.

As per claim 41, *Goldfarb and Prescod* further discloses causing the user interface to be presented occurring while the computer program is being executed and not requiring the computer program to be re-executed (see, for example, section 21.3 and its corresponding subsections on pages 288-290; the product has a WYSIWYG environment). Therefore, for reasons applied above, such a claim also would have been obvious.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:15 am - 4:45 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EBK /EBK
October 29, 2004

TUAN DAM
SUPERVISORY PATENT EXAMINER